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# **Elections in the Czech Republic**

## *2020 Senate and Municipal Elections*

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

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## Frequently Asked Questions

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*Disclosure:*

*These FAQs reflect decisions made by the Czech elections authorities as of September 30, 2020, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.*

## When is Election Day?

The senate and municipal elections in the Czech Republic will take place on October 2 and 3, 2020. The anticipated second round of the senate elections is scheduled to take place on October 9 and 10, 2020. Voting for senate elections will take place at 5,126 polling stations, while voting for municipal elections will take place at 13,346 polling stations, with concurrent voting for both elections possible.<sup>1</sup> There will also be 78 designated locations for voting by vehicle, a mitigation measure put in place due to the COVID-19 pandemic.<sup>2</sup>

Elections to the Senate (Upper House of the parliamentary body) of the Czech Republic are held over two days, Friday and Saturday. On the first day of the elections, voting takes place between 2:00 p.m. and 10:00 p.m. On the second day of the elections, voting takes place between 8:00 a.m. and 2:00 p.m.<sup>3</sup> There will be no out-of-country voting permitted.<sup>4</sup>

For both the senate and municipal elections, there is no option for voting by mail, although voters may request to vote via portable ballot box or may vote from their vehicles at designated locations.

## What is at stake in these elections?

As the Czech Republic currently faces a rise in reported COVID-19 cases, indicating a second wave, the largest concern among voters is their safe participation on Election Day and the government's overall response to the pandemic.

The senate elections will be watched closely for any potential shakeup that would result either from the governing party receiving a majority of seats or if the opposition coalition furthers its capture of the Senate, as one-third of the seats are up for election, which in turn will determine who will seize the largest share of seats in the Parliament's upper house. Currently, the opposition coalition, consisting of the Civil Democratic Party, Czech Pirate Party, TOP 09 Mayors and Independents and KDU-ČSL, holds the upper house. During the senate elections, these groups have moved to form pre-election coalitions to consolidate their constituencies and strengthen their hold further.<sup>5</sup> During this election period, a number of former senators have been criticized for running for re-election despite their defeat in years prior.<sup>6</sup>

## What is the electoral system?

The Parliament of the Czech Republic consists of the Chamber of Deputies (Lower House) and the Senate (Upper House) and is elected on the basis of universal, equal and direct suffrage by secret ballot. The senate and municipality election results in the Czech Republic are tabulated according to the

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<sup>1</sup> Interview with State Electoral Commission, September 2020.

<sup>2</sup> Information for voters in quarantine or isolation due to COVID-19, State Electoral Commission.

<sup>3</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 1, Article 4.

<sup>4</sup> Information on the method of voting in Senate elections, Parliament of the Czech Republic, State Electoral Commission.

<sup>5</sup> Jan Tvrdoň, "Opposition parties will work together, wanting to increase dominance in the Senate. The CSSD also found an ally," *Deník*, June 2, 2020.

<sup>6</sup> Jan Tvrdoň, "Železný, Žantovský or Fischer. Many familiar faces are trying to make a Senate comeback, they will have a hard time," *Deník*, September 5, 2020.

principles of the majority system.<sup>7</sup> Elections to the Parliament of the Czech Republic are announced by the country's president no later than 90 days before the scheduled Election Day.<sup>8</sup>

The Senate has 81 seats representing 81 constituencies, permitting one senator per constituency. Senate elections are held every two years in one-third of the constituencies, which enables the body to work continuously as a permanent institution.<sup>9</sup> Candidates are nominated by political parties or can run independently. Using a simple majority, the candidate who receives 50 percent of the vote is elected to the Senate. If no candidate receives more than 50 percent of the vote, a second round of elections will decide the Senate seat, in which the two candidates with the largest share of votes will advance. The seat is delegated to the candidate who receives the highest number of votes.<sup>10</sup>

Municipal elections for regional councils take place every four years and will be held in 2020 in all municipalities with the exception of Prague. Parties, movements or coalitions must reach a 5 percent threshold in order to attain representation.<sup>11</sup> Voters can use preferential voting, which permits them to cast a maximum of 4 preferential votes per candidate. Within individual constituencies, seats are divided by a proportional electoral system using the D'Hondt method.<sup>12</sup> Regional councils can comprise at least 45 members, but no more than 65 members. The number is determined by the population in each constituency: 45 members for up to 600,000 constituents, 55 members for 600,000 to 900,000 constituents and 65 members for over 900,000 constituents.<sup>13</sup>

## **What is the campaign timeline and expenditure limit?**

The election campaign begins on the day elections are announced (at least 90 days before Election Day) and ends on the day election results are published.<sup>14</sup> The 2020 senate and municipal elections campaign officially began on April 15, 2020.<sup>15</sup> The results of pre-election and election polls cannot be published during the period starting three days before Election Day and ending with the close of polling stations on the second day of elections.<sup>16</sup>

The campaign expenditure limit for elections to the Senate is 2 million CZK (\$88,500 USD), including value added tax for each candidate, if the candidate participates only in the first round of elections, or 2.5 million CZK (\$110,700 USD), including value added tax, if the candidate participates in the first and

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<sup>7</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 1, Article 2.

<sup>8</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 1, Article 3.

<sup>9</sup> How to be elected to the Senate, Senate of the Parliament of the Czech Republic.

<sup>10</sup> How to be elected to the Senate, Senate of the Parliament of the Czech Republic.

<sup>11</sup> Daniel Severa, "In 2020, there will be regional elections. What is their system and how did the previous ones turn out?" *Seznam Zpravy*, October 6, 2019.

<sup>12</sup> The D'Hondt method is used to determine seat allocation in party-list proportional representation. The total votes cast for each party in the electoral district is divided iteratively, first by one, then by two, then by three, etc., until the maximum numbers calculated corresponds to the number of seats that need to be distributed.

<sup>13</sup> Severa, 2019.

<sup>14</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 16, Article 3.

<sup>15</sup> Decision No. 169/2020 Coll. Decision of the President of the Republic on announcing elections to the Senate of the Parliament of the Czech Republic and on announcing elections to regional councils.

<sup>16</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 16, Article 7.

second rounds of elections.<sup>17</sup> All donors to candidates must be disclosed by the nominating entity no later than three days before Election Day.<sup>18</sup>

## Who is eligible to run as a candidate?

Any Czech citizen that has reached the age of at least 40 on the second day of the election can be elected a senator.<sup>19</sup> An incumbent senator can run for re-election with no term limit.<sup>20</sup> Any citizen who has reached the age of 18 can run for election to a regional council.<sup>21</sup>

Candidates for election to the Senate may register through political parties or movements whose activities have not been suspended; members of coalitions may register only through a proxy.<sup>22</sup> Independent candidates must submit applications for registration by themselves.<sup>23</sup>

Each political party, political movement and coalition is permitted to submit only one application for senate elections per constituency; should a political party and a political movement apply separately, they are prohibited from forming a coalition. Each political party and political movement can be a member of only one coalition per constituency.<sup>24</sup> Applications from any entity must be submitted to the authorized municipal office at the seat of the constituency no later than 66 days before Election Day.<sup>25</sup> As of September 23, 2020, 235 candidates are running in the senate elections.<sup>26</sup>

For the municipal elections, regional council candidate lists are submitted by registered political parties and movements whose activities have not been suspended, and their respective coalitions. Candidate documents are submitted to the relevant regional authority no later than 66 days before Election Day.<sup>27</sup> As of September 23, 2020, 9,720 candidates are running in municipal elections.<sup>28</sup>

## Who is eligible to vote, and how many registered voters are there?

The right to vote in Czech elections is held by any citizen who is at least 18 years old on or before the second day of the election. In the second round of elections to the Senate, a citizen who has reached the age of at least 18 on or before the second day of the second round of elections may also vote.<sup>29</sup>

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<sup>17</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 16c, Article 2b.

<sup>18</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 16c, Article 3.

<sup>19</sup> How to be elected to the Senate, Senate of the Parliament of the Czech Republic.

<sup>20</sup> How to be elected to the Senate, Senate of the Parliament of the Czech Republic.

<sup>21</sup> Severa, 2019.

<sup>22</sup> In this case, a proxy refers to a designated person who usually represents a coalition and one of whose duties is to register candidates.

<sup>23</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 60, Article 1.

<sup>24</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 60, Article 2, 3.

<sup>25</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 60, Article 4.

<sup>26</sup> Interview with State Electoral Commission, September 2020.

<sup>27</sup> Act on Elections to Regional Councils and on Amendments to Certain Acts, Section 20, Article 1, 3.

<sup>28</sup> Interview with State Electoral Commission, September 2020.

<sup>29</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 1, Article 7.

In senate and municipal elections, a voter who will be unable to vote in their designated constituency may apply for a voting card, which allows them to vote in another constituency. They can request a voting card in writing or electronically through the designated data box<sup>30</sup> no later than seven days before Election Day (September 25), or in person at their municipal office by September 30.<sup>31</sup> The voting card is issued in person or sent via mail.<sup>32</sup>

Based on data from the 2019 elections, there are an estimated 8,316,737 registered voters in the Czech Republic.<sup>33</sup> Only one-third of constituencies will cast votes for the senate elections.

## **What provisions are in place to guarantee equal access to the electoral process for women and persons with disabilities?**

While gender quotas for parliament candidate lists have not been enacted into law in the Czech Republic, a small number of political parties, including the Social Democratic Party, have implemented voluntary gender quotas.<sup>34</sup>

To promote access to the electoral process for persons with disabilities, all voter information prepared by the State Electoral Commission is made accessible for voters who are blind, have low vision, are deaf or are hard-of-hearing. The Ministry of the Interior published two easy-to-read documents for people with disabilities presenting all information on how to cast their vote in senate elections and municipal elections and a summary of the differences between the elections. Two informational videos have been posted for voters with hearing impairments.<sup>35</sup>

On Election Day, voters with disabilities and voters who are illiterate are permitted to be accompanied by another voter to complete their ballot and place it in a designated envelope.<sup>36</sup> Voters with severe health conditions may request access to a mobile ballot box, which is delivered by members of the their district election commission.<sup>37</sup>

## **What is the election management body? What are its powers?**

The State Electoral Commission (SEC) of the Czech Republic is a permanent electoral body that sits within the Ministry of the Interior. The institution is composed of nine permanent members and nine alternate members, led by a chairperson.<sup>38</sup> The members are appointed by the government from a pool of civil servants across a variety of ministries and government offices.

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<sup>30</sup> Since 2009, the data box has been defined in the Czech legal system as an electronic repository of a special type established pursuant to Act No. 300/2008 Coll., which is intended for the delivery of electronic documents between public authorities and natural and legal persons.

<sup>31</sup> Information for elections to the Senate of the Parliament of the Czech Republic, Voting Card, State Electoral Commission.

<sup>32</sup> Severa, 2019.

<sup>33</sup> Overview of basic data on election dates and turnout in the regular elections 1990-2019, Czech Statistical Office.

<sup>34</sup> Markéta Mottlová, "Czech Social Democrats and Adoption of Party Gender Quotas: Window of Opportunity and Effect of Quotas," *Forum 50%*, 2017.

<sup>35</sup> Elections 2020 — regional councils and the Senate, State Electoral Commission.

<sup>36</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 19, Article 6.

<sup>37</sup> Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts, Section 19, Article 7.

<sup>38</sup> State Electoral Commission, Ministry of the Interior.

The SEC is responsible for administration of elections for the Parliament of the Czech Republic. Among other duties, the SEC is responsible for the preparation, organization and conduct of elections; prepares results records for the Chamber of Deputies; and announces and publishes results.<sup>39</sup>

In addition to the responsibilities outlined above, the SEC oversees additional competencies related to the municipal elections, such as determining numbers by which the ballots of political parties, political movements and coalitions will be marked for election to regional councils.<sup>40</sup>

At the local level, district election commissions oversee the administration of elections and the counting and tabulation procedures in polling stations.

## **What is the election management body doing to safeguard the elections and voters during the COVID-19 pandemic?**

The government of the Czech Republic introduced three alternative voting methods for people who are in self-isolation or quarantine.<sup>41</sup> The law will allow people in medically imposed quarantine to vote from their vehicles in 78 designated places,<sup>42</sup> request to vote at their residence via a mobile ballot box delivered by a special election commission,<sup>43</sup> or, for those in quarantine at social and medical facilities, to cast their vote via a mobile ballot box delivered by a special election commission.<sup>44</sup> The Chamber of Deputies included an explicit provision according to which participating in the elections will not be a violation of an imposed quarantine. The possibility of a special vote will apply only to people who are placed in an imposed quarantine or self-isolation by a sanitary station or doctor by the time of the election.<sup>45</sup>

The State Electoral Commission issued the following basic guidelines for voters casting their ballots in person:

- A face covering for the nose and mouth is required for the duration of one's time spent at the polling station, except for when required for identification purposes;
- Voters must use hand disinfectants provided in polling stations;
- People entering polling stations must follow social distancing protocols as instructed by polling station workers;
- Voters are encouraged to use their own marking devices (pens) to mark ballots, although marking implements will be provided by the district election commissions and disinfected frequently; and

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<sup>39</sup> State Electoral Commission, Ministry of the Interior.

<sup>40</sup> State Electoral Commission, Ministry of the Interior.

<sup>41</sup> Information for voters in quarantine or isolation due to COVID-19, State Electoral Commission.

<sup>42</sup> "Drive-in voting" will be held at 78 locations from 7:00 a.m. to 3:00 p.m. on Wednesday during the week of Election Day.

<sup>43</sup> Voters must request a special portable ballot box by 8:00 p.m. on Thursday during the week of Election Day.

<sup>44</sup> Voting in residential facilities will take place beginning at 7:00 a.m. on Thursday of the week of Election Day and will conclude by 2:00 p.m. on Saturday of the week of Election Day.

<sup>45</sup> ČTK, "Clicked. This is how the vote will be taken in the quarantine elections," *Seznam Zpravy*, August 20, 2020.

- Voters must follow general instructions from the district election commissions.<sup>46</sup>

## **When will official results be announced?**

Votes for the senate elections will be counted on the evening of the last day of voting, Saturday, October 3. After polls close at 2:00 p.m., the relevant election commission will start the process of counting valid votes. As only one-third of the senate body will be included in these elections, the results will be known within several hours of the closing of polls. The electoral commission will make a record of the final result of the election and send one copy to the Czech Statistical Office, where results will be available on its website.<sup>47</sup>

The counting process for the municipal elections is the same as for the senate elections. The final results will be known no earlier than the evening of the last day of voting, Saturday, October 3.<sup>48</sup> As with the results of the senate elections, the results of the municipal elections will be available on the website of the Czech Statistical Office.

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<sup>46</sup> Information for voters on the course of the 2020 elections — Hygienic and anti-epidemic measures when voting in polling stations, State Electoral Commission.

<sup>47</sup> Jab, "Senate Elections 2020: A clear guide on everything you need to know," E15, August 23, 2020.

<sup>48</sup> Jab, "How to vote in regional elections: Ballot papers and preferential votes for candidates," E15, July 17, 2020.

## Resources

- [Ministry of Interior of the Czech Republic](#)
- [State Electoral Commission](#)
- [Senate of the Parliament of the Czech Republic](#)
- [Act 247/1995 Coll. Act on Elections to the Parliament of the Czech Republic and on Amendments to Certain Other Acts](#)
- [Act 130/2000 Coll. Act on Elections to Regional Councils and on Amendments to Certain Acts](#)
- [Elections 2020 — State Electoral Commission](#)
- [Senate Elections](#)
- [Municipal Elections](#)

## IFES in the Czech Republic

IFES' Regional Europe Office is based in Prague, Czech Republic, and oversees the implementation of the "Regional Election Administration and Political Process Strengthening" (REAPPS) program. Through this program, IFES provides assistance to electoral stakeholders across Europe by empowering them through capacity-building efforts and experience-sharing opportunities. These activities are designed to combat threats such as government corruption and malign influence that destabilize the political process and undermine public confidence in democracy.